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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/085,618 | 03/01/2002 | Toyohiro Arakane | 2589-13 | 1820 |
| 23117 | 7590 | 08/25/2005 | EXAMINER | |
| NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203 | | | NGUYEN, LUONG TRUNG | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2612 | |

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/085,618 | Applicant(s) ARAKANE ET AL. | |
| | Examiner LUONG T. NGUYEN | Art Unit 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>03/01/02:08/28/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because the abstract uses the legal phraseology "comprises," which should be avoided. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Admitted Prior Art (Specification, Pages 1-2, Figures 4A-4C).

Regarding claim 1, the Admitted Prior Art Figures 4A discloses a mobile apparatus incorporating a camera, comprising:

a hand strap fitting part (hand trap fitting part 3, Figure 4A);

a camera lens (lens 9, Figure 4A),

wherein the hand strap fitting part is formed in a position that comes below the camera lens when the mobile apparatus is held for ordinary photographing so that a hand strap connected to the hand strap fitting part does not move into a field of view of the camera lens (noted that when the mobile phone is held in the position, in which the longer size of the mobile phone is in the horizontal direction, the shorter size is in the vertical direction, the hand trap fitting part 3 will be below lens 9; this position is also for taking picture in landscape format (ordinary photographing); and when the mobile phone is held at this position, the hand strap 4 does not move into a field of view of the camera lens).

Regarding claim 2, the Admitted Prior Art Figures 4A discloses wherein the hand strap fitting part is located in such a way that a swinging center of the hand strap comes below a horizontal line tangential to a bottom edge of the camera lens when the mobile apparatus is held upright (noted that when the mobile phone is held in the position, in which the longer size of the mobile phone is in the horizontal direction, the shorter size is in the vertical direction, the hand trap fitting part 3 will be below lens 9, the hand trap 4 comes below a horizontal line tangential to a bottom edge of the camera lens when the mobile phone is held upright, Figure 4A).

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Regarding claim 3, the Admitted Prior Art discloses wherein the mobile apparatus is a mobile telephone (Specification, Pages 1-2, and the hand strap fitting part is located on an identical surface on which the camera lens is located (Figure 4A).

Regarding claim 4, the Admitted Prior Art discloses a mobile apparatus incorporating a camera, comprising:

a hand strap fitting part (hand trap fitting part 3, Figure 4A);

a camera lens (lens 9, Figure 4A);

hand strap holding means for holding a hand strap so that the hand strap is kept outside a field of view of the camera lens (noted that when the mobile phone is held in the position, in which the longer size of the mobile phone is in the horizontal direction, the shorter size is in the vertical direction, the hand trap fitting part 3 will be below lens 9; and when the mobile phone is held at this position, the hand strap 4 is kept outside a field of view of the camera lens).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Specification, Pages 1-2, Figures 4A-4C) in view of Iida (JP 09-298370).

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Regarding claim 5, Admitted Prior Art fails to specifically disclose the hand strap holding means is a gap in which a free-end portion of the hand strap is inserted so as to be pinched and thereby held. However, Iida teaches a hand trap for a portable apparatus, which comprises the rectangular crevice 14 and bar 16 for holding the end portion of hand trap 2, which includes hook member 23; it is noted that there is a gap between bar 16 and the outside surface of the body 1 at the crevice section 14 for inserting the hand trap 2, Section [0012], Page 2, Figures 2-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Admitted Prior Art by the teaching of Iida in order to hold the hand trap from swinging.

Regarding claim 6, Iida discloses the hand strap holding means is a hook-shaped protrusion formed integrally with a housing of the mobile apparatus (Section [0012], Figures 2-4).

Regarding claim 7, the Admitted Prior Art Figures 4A discloses a mobile apparatus incorporating a camera, comprising:

- a hand strap fitting part (hand trap fitting part 3, Figure 4A);

- a camera lens (lens 9, Figure 4A).

The Admitted Prior Art fails to specifically disclose at least one hook-shaped protrusion formed integrally with a housing of the mobile apparatus, and wherein a gap is formed between the hook-shaped protrusion and the housing of the mobile apparatus so that, when a hand strap is

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inserted therein, the hand strap is pinched and thereby held so as to be prevented from swinging and thereby kept outside a field of view of the camera lens.

However, Iida teaches a hand trap for a portable apparatus, which comprises the rectangular crevice 14 and bar 16 for holding the end portion of hand trap 2, which includes hook member 23; it is noted that there is a gap between bar 16 and the outside surface of the body 1 at the crevice section 14 for inserting the hand trap 2, Section [0012], Page 2, Figures 2-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Admitted Prior Art by the teaching of Iida in order to hold the hand trap from swinging.

Regarding claim 8, the Admitted Prior Art discloses wherein the mobile apparatus is a mobile telephone (Specification, pages 1-2).

The Admitted Prior Art does not disclose the hand strap fitting part and one hook-shaped protrusion for holding a free-end portion of the hand strap are located on an identical surface on which the camera lens is located. However, Iida teaches the attachment sections 11 and 12 are on two different surfaces of body 1. It would have been obvious to locate attachment sections 11 and 12 on the same surface of body 1; it is only a matter of design choice of location.

Regarding claim 9, the Admitted Prior Art discloses wherein the mobile apparatus is a mobile telephone (Specification, Pages 1-2), and the hand strap fitting part is located on an identical surface on which the camera lens is located (Figure 4A), and two hook-shaped

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protrusions for holding a free-end portion and a tied-end portion of the hand strap respectively are formed on a surface situated toward a side of the camera lens (Iida , Figures 2-4).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoshino et al. (U. S. Patent No. 5,469,271) discloses unified video camera and VCR.

Komiyama (U. S. Patent No. 6,047,443) discloses hand strap storage structure for portable terminal device.

Terasaki et al. (U. S. Patent Application No. 2002/0058531) discloses mobile phone provided with video camera.

Sasaoka (JP 06-334557) discloses mobile radio equipment.

Yamashita (JP 08-097892) discloses portable radio telephone set.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN
08/12/05



LUONG T. NGUYEN
PATENT EXAMINER